

Delegate Case, do you desire to offer your amendment AD? The Chair should suggest that you might want to hold this until after you see the modified amendment referred to by Delegate James.

If so, we can come back to it.

DELEGATE CASE: That is exactly what I was going to suggest, Mr. Chairman.

THE CHAIRMAN: Very well.

The Chair is not advised of any other amendments to section 5-A.

Are there any other amendments to this section?

Delegate Henderson?

DELEGATE HENDERSON: Mr. Chairman, I have an amendment which Senator James mentioned, and I have another one dividing the question which was proposed under A, and I have a third amendment under section 7, which I will offer, depending on the outcome of the other two.

THE CHAIRMAN: Very well.

DELEGATE HENDERSON: Those are the only ones.

THE CHAIRMAN: We will come back to those after we have your other amendment.

That brings us to consideration of section 5-B. That is the subject of the Minority Report. The Chair recognizes Delegate Child to present the Minority Report. This will be Minority Report R&P-1(A).

DELEGATE CHILD: Mr. Chairman—

THE CHAIRMAN: Delegate Child.

DELEGATE CHILD: Mr. Chairman, I wish to call your attention to the fact that the Minority Report has one word which is wrong. It occurs on page 2, line 29, the last word in that line is written as "restricted." It should be "restrictive."

THE CHAIRMAN: Please correct your copies of Minority Report R&P-1(A) and change the last word in line 29 on page 2 from restricted to restrictive.

Delegate Child.

DELEGATE CHILD: Mr. Chairman, I feel that I would be remiss if I did not express my appreciation and admiration for the efficiency, the kindness and cooperation and the genuine hard work of Chairman Dick Kiefer of our Committee.

I say without any fear of contradiction that he did more work than any five people on a Committee, and that he had a hard crowd to manage. I think he was assigned sixteen of the most independent minds in the Convention, but as I worked with them, I found that they were all good ladies and gentlemen. They were dedicated. They were trying to do their best to write a good constitution for the State of Maryland. It has been a pleasure and a privilege for me to work with them, and I thank our Chairman and the members of the Committee for tolerating me.

Now, the matter at hand. My Minority Report is a very simple matter. It merely proposes to strike section B of section 5 from the report. This I think will improve the report.

My reason for that is the fact that we already have in the report as the first line of section A, section 8, on page 4, the words "excessive bail shall not be required."

This revision which I propose by my Minority Report and by the amendment which I have offered, which is amendment A, Mr. Chairman, also applies to bail, and I do not think we want, or we need, in a very short bill of rights two sections regarding bail.

I think that the wording in section 8 is the present constitutional language. It is sufficient, and section B is dangerous language. It is statutory language rather than constitutional language, and should be stricken.

Now, you will notice that the Minority Report is supported by nine people, which is the majority of the Committee, so that it is really a majority report, and not a minority report, and you might want to know how that came about.

This section B was passed after considerable argument, when all of the Committee was not there and when three members who were there abstained from voting. Two days later, when I was absent, the provision in section 8 was put into the report.

After conferring with a number of the delegates, all of the people whose names appear on this Minority Report decided that we were wrong when we put in section B and that it should be stricken.

Now, why? Without repeating what I said on the floor yesterday about the wording of a provision in a bill of rights, I will